1		U.S. DISTRICT JUDGE RICHARD A. JONES
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7	UNITED STATES DISTRICT COURT WESTERN DISTRICT OF	
8	WASHINGTON AT SEATTLE	
9	CYNTHIA S. MILKOVITS,	)
10	Plaintiff,	) CIVIL NO. 3:20-cv-05104-RAJ )
11	vs.	)
12	COMMISSIONER OF SOCIAL SECURITY,	) ORDER
13	Defendant	)
14	Defendant	)
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16	This matter comes before the Court on Plaintiff's motion for attorney's fees pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412	
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18	The motion is timely as Plaintiff had a 60-day appeal period, plus the 30-day period in §2412(d)(1)(B), from the entry of final judgment on September 2, 2020, to file a timely EAJA application. <i>Akopyan v. Barnhart</i> , 296 F.3d 852 (9 <sup>th</sup> Cir. 2002); <i>Melkonyan v. Sullivan</i> , 501 U.S. 89, 94-96 (1991); FED. R. App. P. 4(a). Furthermore, upon review of the motion and the record,	
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21	the Court determines that Plaintiff is the prevailing party, the government's position was not	
22	substantially justified, and that the itemization of attorney time spent is reasonable. In short, the	
23	requirements of § 2412(d)(1)(B) are met.	
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25	ORDER FOR EAJA FEES - 1	David Oliver & Associates 2608 South 47 <sup>th</sup> Street, Suite C Tacoma, WA 98409 (253) 472-4357 david@sslawyer.org

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Having thoroughly considered the parties' briefing and the relevant record, the Court 1 hereby GRANTS the motion and awards Plaintiff \$6,693.12 in attorney's fees, subject to any 2 offset allowed under the Treasury Offset Program. See. Astrue v. Ratiff, 560 U.S. 586, 589 - 590 3 (2010). Payment of EAJA fees shall be sent to Plaintiff's attorney: David Oliver & Associates. 4 2608 South 47th Street, Suite C, Tacoma, WA 98409. Pursuant to Ratiff, award shall be payable 5 to Plaintiff's attorneys, David Oliver & Associates, if the Commissioner confirms that Plaintiff 6 owes no debt to the Government through the Federal Treasury Offset program. 7 For the foregoing reasons, Plaintiff's motion for attorney fees is GRANTED; 8 DATED this 8th day of December, 2020. 9 10 11 12 United States District Judge 13 Presented by: 14 S/David P. OLIVER 15 David P. Oliver, Attorney for Plaintiff 16 17 18 19 20 21 22 23 24 25

ORDER FOR EAJA FEES - 2

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